

REMARKS

Claims 12-20 and 38-41 are pending in this application. In the Office Action of February 21, 2007, claims 12-16, 19-20 and 38-41 are rejected. This rejection is respectfully traversed. No new matter has been added. Reconsideration is requested. Applicants respectfully submit that all pending claims are in condition for allowance.

Applicants gratefully acknowledge that the Office Action indicates that claims 17 and 18 are allowable.

Drawings

The Office Action is silent with respect to the drawings filed on April 9, 2004, specifically whether the drawings are accepted or objected to. Applicants believe that the submitted drawings satisfy all formal requirements and respectfully request that the Examiner officially accept the drawings.

Claim Rejections – 35 U.S.C §103

A. The Office Action rejects claims 12-14, 19-20 and 38-41 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication 2002/0155844 A1 to Rankin et al. (hereinafter referred to as “Rankin”) in view of U.S. Patent Publication 2004/0205330 A1 to Godfrey et al. (hereinafter referred to as “Godfrey”). Applicants respectfully traverse this rejection.

Claims 12, 38 and 39 include the feature of the “privacy management options allow the user of the mobile device to specify the extent to which the user would like to receive share content messages initiated by another user.” As claimed, that feature gives the user the ability to filter, block, or allow messages regarding shared content that are sent my another user. Claims 12, 38 and 39 also include the feature wherein the other user of the “content sharing system who has complied with privacy management functions imposed by the content sharing system.” As claimed, that feature has the sender of a message in compliance with the requirements of the content sharing system. These features are neither disclosed nor suggested by the prior art.

The Examiner, on page 2 of the Office Action, asserts that Rankin paragraph [0035] discloses the privacy management options allow the user of the mobile device to specify the extent to which the user would like to receive share content messages initiated by another user. Applicants respectfully disagree. The cited passage of Rankin does not address privacy management in the context of a content sharing system wherein the user may block or allow messages based on the initiator of those messages. Rankin instead discloses preferences for content to be received based on where the user is located and perhaps with a filter as to the type of data being sent (i.e., “forbid any information that would be pushed to him regarding the location of an ATM or a restaurant”, see paragraph [0029].) The user in Rankin is not specifying the extent to which the user would like to receive share content messages initiated by another user.

The Examiner further asserts on page 3 of the Office Action that the abstract of Godfrey discloses that the other user of the content sharing system has complied with privacy management functions imposed by the content sharing system. Applicants respectfully disagree. Godfrey is directed to a system for compressing and encrypting secure email for exchange with a mobile device. Specifically, as the Examiner points out in the Office Action, Godfrey discloses pre-processing encrypted and/or signed messages at a host system before the message is transmitted to a wireless mobile communication device. This is not the same as another user complying with privacy management functions imposed by the content sharing system. In Godfrey, the host system serves as an intermediary between a message sender and receiver. The message sender does not have knowledge of privacy management functions of the system; it merely sends messages without regard to such privacy management functions. The host system in Godfrey then processes that message and alters it as needed, after determining the requirements of the receiver. The sender does not actively comply with any requirements or functions of the intermediary system. Therefore, Godfrey does not disclose or suggest that the other user of the content sharing system has complied with privacy management functions imposed by the content sharing system, as claimed.

The Office Action does not cite prior art against every element of claims 38 and 39. In particular, the Office Action does not assert that any reference teaches or suggests that the mobile device be capable of presenting user input forms for selection of recipients of messages in the content sharing system as recited in the newly appended claims. Therefore, Applicants respectfully assert that claims 38 and 39 are patentable.

For at least the reasons above, Applicants respectfully submit that Rankin in view of Godfrey fails to disclose or suggest the subject matter of independent claims 12, 38 and 39. Accordingly, the applied references also fail to disclose or suggest the subject matter of dependent claims 13-14, 19-20 and 40-41, which depend from claims 12 and 39, respectively. Withdrawal of the rejection under 35 U.S.C. §103(a) is therefore respectfully requested.

Because the references, either alone or in combination, do not teach or suggest all of the elements in the claimed invention, Applicants do not feel it is necessary to provide a substantive response as to the appropriateness of the combination of references and explicitly reserve its rights to traverse the combination in a future submission if desired.

B. The Office Action rejects claim 15 under 35 U.S.C. §103(a) over Rankin in view of Godfrey in further view of U.S. Patent Publication 2004/0203673 A1 to Seligmann (hereinafter referred to as “Seligmann”). This rejection is respectfully traversed. Seligmann fails to cure the deficiencies of Rankin and Godfrey discussed above with respect to claim 12. Moreover, because claim 15 depends from claim 12 which Applicants now believe to be allowable, claim 15 is patentable. In view thereof, Applicants do not need to address the substantive teachings of Seligmann and whether there is motivation, teaching or suggestion to combine Rankin, Godfrey and Seligmann. Nonetheless, Applicants reserve the right to challenge such teachings or combination in a future office action.

The Office Action also rejects claim 16 under 35 U.S.C. §103(a) over Rankin in view of Godfrey in further view of U.S. Patent Publication 2003/0123465 to Donahue (hereinafter referred to as “Donahue”). This rejection is respectfully traversed. Donahue fails to cure the deficiencies of Rankin and Godfrey discussed above with respect to claim 12. Moreover, because claim 16 depends from claim 12 which Applicants now believe to be allowable, claim 16 is patentable. In view thereof, Applicants do not need to address the substantive teachings of Donahue and whether there is motivation, teaching or suggestion to combine

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37 CFR § 1.116**

Rankin, Godfrey and Donahue. Nonetheless, Applicants reserve the right to challenge such teachings or combination in a future office action.

Applicants assert that the Office Action has not established a prima facie case of obviousness, as the applied references fail to teach or suggest all of the subject matter of independent claim 12. Accordingly, the applied references also fail to render obvious the subject matter of claims 15 and 16 which depend from claims 12. Withdrawal of the rejection under 35 USC §103(a) is therefore respectfully solicited.

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CONCLUSION

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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/Aaron F. Bourgeois/
Aaron F. Bourgeois
Registration No. 57,936

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439